




**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

Memorandum

Subject: **INFORMATION:** DOT Telecommuting Order

Date: March 26, 2003

From: Norman Y. Mineta 
The Secretary

Reply to
Attn. of:

To: Departmental Officers
Heads of Operating Administrations
Director, Bureau of Transportation Statistics
Chairman, Surface Transportation Board

I am pleased to announce the approval of the DOT Telecommuting Order. It is now available for use within the Department. Each Operating Administration needs to review its current telecommuting policy to ensure that it conforms with the DOT Telecommuting Order, including the removal of all artificial barriers to telecommuting.

Management resistance and technology have surfaced as the two most identified barriers to telecommuting within DOT. Training materials developed by OPM and the Department will be made available to address the management and business benefits of telecommuting. Additionally, I am charging the newly created Information Technology workgroup to provide me with recommendations to removing technology barriers by July 15, 2003. Through training and the removal of IT barriers, telecommuters within the Department will have appropriate and supported remote access while maintaining performance.

I am confident that our managers, supervisors and employees will work together to ensure that the implementation of this initiative is consistent with the intent of the law and does not adversely impact the Department or its Operating Administrations. Telecommuting is a work flexibility and management tool that can assist all of us in better managing our work, personal and community lives.



**U.S. Department of
Transportation**
Office of the Secretary

March 26, 2003

ORDER

DOT 1501.1

DEPARTMENT OF TRANSPORTATION TELECOMMUTING POLICY

DISTRIBUTION: All Secretarial Offices and Heads of Operating Administrations

March 26, 2003

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DOT 1501.1

1. PURPOSE.

- a. This Order establishes the revised policy and criteria for telecommuting in the U.S. Department of Transportation (DOT).
- b. Telecommuting is a work arrangement in which an eligible employee performs officially assigned duties at an alternative work site. Alternative work sites are locations away from the traditional office environment. This could generally include the employee's home; a satellite facility owned or leased by a DOT Operating Administration (OA), General Services Administration, or by another public or private organization where work is performed.
- c. Telecommuting is synonymous with telework, work at home and flexiplace.

2. CANCELLATIONS.

DPM Letter No. 368-1, DOT's Telecommuting Directive, dated April 1, 1994.

3. AUTHORITY.

- a. The FY 2001 DOT Appropriations Act, enacted October 23, 2000 (P.L. 106-346), contains a provision intended to substantially increase telecommuting participation in the Federal sector over a four-year period. Section 359 of this law requires agencies to establish policies under which eligible employees may participate in telecommuting to the maximum extent possible without diminished employee performance.
- b. The U.S. Office of Personnel Management issued a memorandum, dated February 9, 2001, to the heads of executive departments and agencies that emphasized steps to aid in achieving compliance with the new law. This guidance advised agencies to review existing telecommuting policies and procedures; identify and remove barriers that inhibit participation, and to establish objective eligibility criteria to identify jobs suitable for telecommuting. This guidance further stated that subject to any applicable agency policies or bargaining obligations, employees who meet agency eligibility criteria and want to participate in telecommuting must be allowed that opportunity if they are satisfactory performers.

4. POLICY.

- a. It is the policy of DOT to encourage the use of telecommuting to the maximum extent possible. Since implementation of a telecommuting program in 1994, DOT has been a leader of this initiative in the Federal community. Telecommuting is consistent with the Department's mission because it relates directly to our performance goals of reducing highway congestion and mobile source emissions. Furthermore, telecommuting may serve as a recruitment and retention tool in a time where studies of Federal sector employment trends suggest that agencies are

facing a crisis in human capital that may worsen in coming years. Telecommuting also has the potential to provide greater organizational flexibility, increase productivity, reduce absenteeism, maintain services, and extend employment opportunities. These attributes make telecommuting an important management tool in maximizing the utilization of current resources and recruiting new talent to accomplish the work of the Department.

- b. Consistent with the intent of Section 359 of PL 106-346, employees whose job characteristics and other eligibility criteria, as defined in Section 4, Paragraph d of this policy, make it possible for them to telecommute at least one day per week must be provided that option. Eligible employees who are unable to telecommute on a weekly basis, due to organizational or personal considerations, may be offered the opportunity to telecommute at least one day per pay period or an average thereof as described in Section 5 of this Order.
- c. DOT Components are responsible for ensuring that the telecommuting program does not adversely impact the organization's mission, office operations, work productivity, run counter to public service requirements, or threaten the security of Departmental data, information or equipment.
- d. DOT Operating Administrations, the Office of the Inspector General (OIG), and the Office of the Secretary (OST), collectively referred to as "DOT Components", shall apply the following position and employee criteria in determining eligibility for telecommuting:

(1) **POSITION ELIGIBILITY CRITERIA:** Jobs with the following characteristics are appropriate for telecommuting:

- Work activities are portable;
- Data and systems security requirements, including sensitivity and Privacy Act concerns, are adequately addressed;
- Necessary material and information can readily be moved to and from the Federal office;
- Periodically working on site allows sufficient access to necessary specialized equipment;
- Technology for off-site work is available, if needed;
- Close supervision or daily input from sources accessible only on site is not required;
- Contact with employees and customers can be performed electronically or by telephone without adversely affecting customer service or productivity; and
- Other position characteristics that management determines to be appropriate.

(2) **EMPLOYEE ELIGIBILITY CRITERIA:** In addition to meeting the position eligibility criteria listed, employees must:

- Maintain performance of at least fully successful, or the equivalent, with no documented need to improve performance;
 - Meet Federal government and agency standards of conduct; and
 - Comply with the terms of the telecommuting policy.
- e. Employees with disabilities may be offered the opportunity to telecommute on the same basis as any other employee.
 - f. Telecommuting programs may be implemented for bargaining unit employees only after appropriate labor relations obligations have been fulfilled.
 - g. A decision to terminate or modify a telecommuting agreement shall not be arbitrary and it must be in accordance with collective bargaining agreements where applicable.
 - h. DOT Components shall ensure that classified national security information, data subject to the provisions of the Privacy Act, proprietary information and/or other sensitive data are handled and protected in accordance with applicable laws, regulations and policies.
 - i. Supervisors are responsible for applying the eligibility criteria specified in this policy to determine if the job characteristics of a particular position and the incumbent of that position are eligible for telecommuting.
 - j. Managers, employees, and their representatives shall work together to ensure that telecommuting programs meet the work needs of the Department.
 - k. Telecommuting is not intended to serve as a mechanism to provide child or elder care services at home, or to perform any other activities unrelated to the employees' official duties. It is the responsibility of the employee to ensure that a proper work environment is maintained.

5. REPORTING REQUIREMENTS.

- a. Quarterly summary reports on telecommuting shall be submitted to the Secretary of Transportation, through the Assistant Secretary for Administration, from the head of each Operating Administration, the Inspector General, and the Assistant Secretary for Administration, on behalf of the organizations in OST.
- b. Quarterly reports shall be submitted by March 30, June 30, September 30 and December 30 of each calendar year. The reports shall include reporting information for the current quarter as well as a cumulative total for the year. See sample reporting form in Appendix A.
- c. For reporting purposes, DOT Components shall use a statistical average in computing telecommuting participation. Only telecommuting days that occur

during a current reporting period shall be considered in computing a statistical average for that quarter. The following three reporting areas must be included in DOT Component Reports: the number of employees who telecommute an average of one day per week (number of times employee telecommutes in the quarter divided by 12) and the number of employees who telecommute an average of one day per pay period (number of times employee telecommutes in the quarter divided by 6). For example, an employee who telecommutes 15 times in a quarter will be reported as having telecommuted at least one day per week. An employee who telecommutes any six days in a quarter will be reported as having telecommuted one day per pay period.

- d. A commonly accepted work arrangement involves employees working at home or other alternative locations on a less frequent, or irregular basis on a specific project or task. Because the Department recognizes the value of this flexibility and considers it necessary to support sound business practices, this information will be reported as a separate category in DOT Components' quarterly reports. However, this information will not be counted in Departmental telecommuting reports to the Office of Personnel Management and/or Congress until it reaches the statistical frequency established in the preceding paragraph.

6. PERFORMANCE.

- a. Supervisors and employees must discuss performance expectations including the scope and status of work assignments. The supervisor and employees must have a common understanding of the work objectives, desired results and evaluation criteria. Measurement tools such as status reports, progress reviews and milestones may be used to measure and evaluate employee performance.
- b. The performance elements and standards of telecommuters shall remain the same as non-telecommuters performing the same or similar duties.
- c. Telecommuters must maintain performance levels or have their telecommuting agreements subject to termination.

7. CONDUCT.

Employees are bound by Federal government and agency standards of conduct while working at the alternative worksite.

8. TELECOMMUTING AGREEMENTS.

- a. Employees eligible and approved to telecommute on a regular basis must complete and submit a telecommuting agreement developed for use within the employees' DOT Component.

- b. Employees may voluntarily end their telecommuting agreement at any time. However, individuals must give sufficient notice to allow their employer adequate time to accommodate a return to the regular work site.
- c. If a telecommuting agreement has an adverse impact on agency elements or an employee no longer meets eligibility criteria, a supervisor shall terminate and/or modify the employee's agreement as appropriate.

9. DISPUTES.

- a. DOT encourages resolution of workplace disputes at the lowest possible level. Therefore, DOT supervisors and employees are encouraged to resolve disagreements and disputes regarding telecommuting issues on an informal basis.
- b. DOT component policies shall identify their dispute resolution mechanisms for use when informal resolution of telecommuting disputes is not possible. This does not require the development of new procedures.

10. TRAINING.

- a. DOT Components should develop a telecommuting training program for supervisors and employees. The purpose of this training is to:
 - (1) Provide all employees with a broad overview of the telecommuting program.
 - (2) Target managers and eligible employees who are interested in telecommuting and help them understand how the program will function including specific issues such as strategies for effective telecommuting, managing for results, compatible work projects, performance management, scheduling and tracking assignments and milestones, effective communication, and work plans.
 - (3) Focus on technology skills, connectivity, security considerations, and procedures associated with telecommuting.
- b. To provide ongoing support and improve the effectiveness of the telecommuting program, DOT Components shall provide training on an as-needed basis to participating employees and supervisors concerning relevant topics.

11. EVALUATION.

To evaluate the overall effectiveness of the DOT Telecommuting Program, DOT Components shall collect both qualitative and quantitative information about their internal telecommuting program including employee perception of the program, concerns

from employees and their supervisors, costs, training efforts and any unanticipated issues that arise.

12. ORGANIZATIONAL POLICY

- a. Each DOT Component is responsible for the development of a policy or the revision of its current policy in accordance with the guidelines established in this Order.
- b. A Departmental review board, chaired by the Deputy Secretary or designee, shall review and approve each policy prior to its implementation. In addition, each DOT Component must notify the review board prior to excluding positions from telecommuting or including previously excluded categories of employees. The board will review the request and determine if the provided justifications adhere to the criteria established in this policy.

13. DEPARTMENT CONTACT.

Questions regarding this policy may be addressed to the Program Manager in the Departmental Office of Human Resources Management.

Appendix A
SAMPLE QUARTERLY REPORTING FORM

Operating Administration: Office of the Secretary
 Contact: Program Manager Phone Number 366-5555
 Date: _____

Telecommuting Reporting Category	Current Quarter Total	Cumulative Total
Number of Permanent Employees		459
Number of Eligible Positions		459
Number of Regular Telecommuters who average 1 day per week	30	37
Number of Regular Telecommuters who average 1 day per pay period	10	15
Number of employees who telecommute or work away from the traditional office on an infrequent basis	40	40
Temporary Based On Medical Issues	2	2
Number of Telecommuters in all categories using telecenters	3	3
Total Number of Telecommuters	82	94
Percentage of eligible employees who telecommute one day per week	6.5%	8%
Overall percentage of eligible employees who telecommute	18.5%	21%